

Exhibit 8

INSTANT ROUGH DRAFT - UNCERTIFIED TRANSCRIPT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

SONY CORPORATION, A Japanese)
corporation,)
Plaintiff,) No. SA CV 08-01135
vs.) RGK (FMOx)
VIZIO, Inc.,)
Defendant.)
_____)

TELEPHONIC MEET AND CONFER
LOS ANGELES, CALIFORNIA
FRIDAY, JUNE 19, 2009

REPORTED BY:

KATHY SEIDENGLANZ, CSR No. 3331

JOB NO. 23396

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FRIDAY, JUNE 19, 2009

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1:38 P.M.

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Telephonic Meet and Confer, held at the offices

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of Jones Day, 555 South Flower Street, Fiftieth

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Floor, California 90071, before Kathy

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Seidenglanz, CSR No. 3331, a Certified Shorthand

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Reporter of the State of California.

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2 corresponds to the means.

3 And I'm at this point not willing to
4 stipulate that the parties can agree on
5 any of those. You got to see what you
6 think the structure is and what we think
7 the structure is; so that's our proposal.

8 MR. PEASE: Okay. Well, we'll
9 consider that. You know, I don't have all
10 of the patents in front of me but that
11 sounds like an awful lot of terms many of
12 which are unlikely to be in legitimate
13 dispute and so, I mean, that's going to be
14 a consideration that we take into account
15 deciding, you know, whether that proposal
16 makes sense or whether we should just
17 stick with the protocol adopted with the
18 court which is to do this all in the
19 context of summary judgment motions or
20 jury instructions.

21 MR. McCRUM: Why don't you in
22 conjunction with that, let us know which
23 ones you don't think are not in dispute
24 because we think that they all are; that's
25 our position is that all of these means

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2 plus function claim terms are in dispute
3 right now and need to be construed.

4 And if you don't think, for example,
5 for display means, let us know and maybe
6 we'll consider not construing those. But
7 we are perfectly willing within two weeks
8 to provide you -- providing you are
9 willing to do the same -- our proposed
10 constructions of all means plus function
11 terms.

12 Then as the next step, I thought that
13 at the same time we could simultaneously
14 exchange any additional terms that we
15 think need to be construed. And then
16 depending on the number of those, we can
17 talk about a date by which we would
18 simultaneously exchange proposed
19 constructions.

20 MR. PEASE: Well, this is Tom again.

21 We'll consider that, although I can
22 tell you from our standpoint, I think that
23 we feel that your time would be better
24 spent in actually flushing out your
25 non-infringement positions. We have got

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2 MR. PEASE: We have given you our
3 infringement contentions and the
4 constructions are reflected in those
5 infringement contentions.

6 MR. McCRUM: Oh, they are not --

7 MR. PEASE: Presumably the same way
8 your constructions are reflected in your
9 invalidity contentions.

10 MR. McCRUM: Not means plus function;
11 not at all for the means plus function.
12 There is no -- there is not an ounce of
13 claimed construction reflected for the
14 means plus function; that requires very
15 specific steps and it's not in there.

16 If that's the position that you want
17 to take, that's fine, Tom. I don't want
18 to sit here and go around in circles
19 again.

20 I put a proposal on the table. You
21 guys let me know whether or not it's
22 acceptable and if it's not, we're at an
23 impasse on it. So --

24 MR. PEASE: Okay. We'll get back to
25 you next week.

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2 have no idea from that.

3 Does it have the names of some Sony
4 employees on those e-mails? Yes, but I
5 didn't see a single one from Mr. Blanchard
6 who was involved as far as we know in the
7 CEA television data systems subcommittee
8 and he held a significant position there.

9 It doesn't identify the roles of all
10 of these employees and it doesn't even
11 mention them all let alone state their
12 roles.

13 And it doesn't describe the role that
14 Sony specifically played in working on the
15 various versions of CEO 708 and this is an
16 interrogatory that is really should be the
17 subject of a narrative response. And the
18 documents just don't answer these
19 questions.

20 MR. KLIVENS: Your first question
21 there about Sony became a member, I agree
22 that is not necessarily in those documents
23 and that's something that we can check on
24 obviously and get back to you.

25 My other comment that I needed to

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2 make today -- two comments is that there
3 is more -- there is more documents that
4 are being collected that Sony is trying to
5 locate for these. It's a date, you know,
6 it's not something -- as you can see from
7 what we produced, there are multiple
8 custodians involved.

9 I think it said in the interrogatory
10 you might have taken it as boiler plate
11 but it did say we would be supplementing
12 that again.

13 MR. MCCRUM: I understand that and
14 that is fine. But the problem is that the
15 specific information that we're asking for
16 should not be the subject of a 33(d). I
17 mean, even to the extent that you can comb
18 through these hundreds of pages of
19 documents and start guessing about when
20 Sony first became a member and how long
21 its been a member and --

22 MR. KLIVENS: Let me be clear. We
23 can check on when Sony became a member of
24 CEA and get that information to you.

25 MR. MCCRUM: Okay. Then I would like

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2 the record because I was hoping to talk
3 about a few things, too.

4 MR. McCRUM: Okay, we will go off the
5 record.

6 MR. CORR: All right. The court
7 reporter is making a note in the transcript
8 that we're off the record now.

9 (Time ended: 2:57 P.M.)
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